P.R. No. 2616/06
Presented by Shri S.C. Verma
dated 11/9/06

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A. (C) No. 340 /2006

APPELLANT : CLAIMENT

Mukadar Ali, S/o Haidar Ali,
Aged about 19 yrs., R/o Momin Para,
Near of Masjid, P.S. Azad Chowk,
Raipur (C.G.)

VERSUS

RESPONDENTS: NON-APPLICANTS

1. Santosh Kumar Sinha, S/o Rambharosa Sinha, R/o Village Belardona, P.S. Magarload, Distt. Dhamatari (C.G.), Present address Milan Chowk, Sanjay Nagar, Raipur
2. Divisional Forest Officer, Narth Raipur Divisional, Raipur (C.G.)

Miscellaneous Appeal under Section 173 of the Motor Vehicle Act, 1994

XI-30—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक MAC 340/06 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Misc. Appeal (C) No. 340/2006

APPELLANT — Mukadar Ali, S/o. Haidar Ali, aged about 19 years, R/o. Momin Para, near Masjid, P.S. Azad Chowk, Raipur (C.G.)

Versus

RESPONDENTS
1. Santosh Kumar Sinha, S/o. Rambharosa Sinha, R/o. village Belardona, P.S. Magarload, Distt. Dhamtari (C.G.) present address Milan Chowk, Sanjay Nagar, Raipur
2. Divisional Forest Officer, North Raipur Division, Raipur (C.G.)

SB: HON'BLE SHRI DHIRENDRA MISHRA, J.

Shri S.C. Verma, Advocate for the appellant.
None appears for the respondents.

ORDER
(11-6-2007)

Dhirendra Mishra, J.

Heard on M.(C.)P. No. 1850/2006 application for condonation of delay in filing the appeal as the instant appeal has been filed with a delay of 150 days.

The reason assigned by the appellant for filing the appeal with delay is that the appellant was not aware of the fact that there is any limitation for filing the appeal and he learnt about the law of limitation only when he contacted to his counsel.

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Misc. Appeal (C). No. 340/2006 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	The reason assigned for filing the appeal belatedly cannot be termed to be sufficient. Even other wise, from perusal of paras 14 and 15 of the impugned award, it is evident that the claimant has failed to prove that he was removed from his service on account of the injuries sustained by him in the accident in question by leading cogent evidence and restricted the award only to the extent of loss suffered by the claimant due to the injuries sustained by him in the said accident and awarded a sum of Rs. 22,000/- as compensation which appears to be just and proper. The appeal is dismissed as barred by limitation as also on merit. Sd/- Dhirendra Mishra Judge	